

**Remarks**

Claims 1-3, 5-10, 12-28, 30-34, and 36- 53 are pending. Claim 24 has been amended. Claims 1-3, 5-10, 14-18, and 22-25 stand rejected. Claims 26-28, 30-34, and 36-53 have been allowed. Claim 12, 13, and 19-21 have been deemed allowable but are objected to as being dependent upon a rejected base claim.

The Examiner stated that a previous indication of allowability of Claims 1-53 has been withdrawn in view of USPN 6,447,095 and that rejections based on that reference follow. However, the Examiner makes no other reference to the '095 patent.

**OBJECTIONS TO THE SPECIFICATION**

Paragraph [0034] of the Specification has been amended to correct a typographical error.

**CLAIM REJECTIONS – 35 USC §103**

Claims 1-3, 5-10, 14-18, and 22-25 were rejected under 35 U.S.C. §103 as being unpatentable over USPN 5,682,186 issued to Bohorquez in view of USPN 5,646,665 issued to Swanson.

Claim 1 is directed to an inkjet consumable cartridge and recites the following elements:

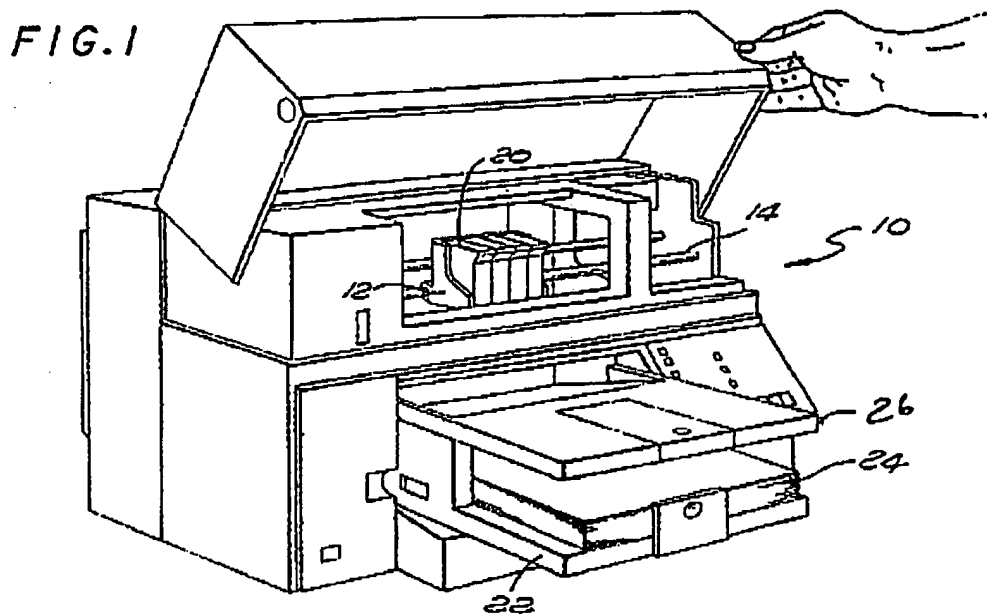
1. an inkjet cartridge having nozzles;
2. an inkjet cartridge holding device for holding the inkjet cartridge;
3. a cap configured to interface with the inkjet cartridge; and
4. a cap actuator that, when actuated, moves the cap from a position where the cap does not interface with the inkjet cartridge to a position where the cap interfaces with the inkjet cartridge sealingly covering the nozzles;
5. wherein the consumable cartridge is removable from a printer as a self-contained unit.

The Examiner asserts that Bohorquez teaches each of these elements except for the inkjet cartridge holding device for holding the inkjet cartridge. For

this deficiency, the Examiner turns to Swanson. The Examiner mistakenly equates Swanson's carriage (12) with the inkjet cartridge holding device recited in Claim 1.

The final clause from claim 1, recites that the claimed inkjet consumable cartridge is removable from a printer as a self-contained unit. The claimed inkjet consumable cartridge includes the inject cartridge, the cap, the cap actuator, and the inkjet cartridge holding device. As a logical consequence, the inkjet cartridge holding device is thus removable from the printer.

A simple review of Swanson, Fig. 1 (reproduced below) reveals that Swanson's carriage (12) is not removeable from Swanson's printer (10).



The carriage (12) is fixed to rail (14) and is not removable with cartridges (20). Consequently, Swanson's carriage (12) is NOT a an inkjet cartridge holding device that is part of a inkjet consumable cartridge that is removable from a printer as a self-contained unit as recited by Claim 1.

For at least this reason, claim 1 is patentable over the cited references as are Claims 2, 3, 5-10, 12-23 due at least in part to their dependence from or incorporation of Claim 1.

**Claim 24** is directed to a method for making the inkjet consumable cartridge of Claim 1 and recites the following acts:

1. obtaining an inkjet cartridge having nozzles;
2. placing the inkjet cartridge in an inkjet cartridge holding device;
3. obtaining a cap configured to interface with the inkjet cartridge;
4. attaching the cap to a cap actuator; and
5. attaching the cap actuator with the cap to the inkjet cartridge holding device such that, when actuated, the cap actuator moves the cap from a position where the cap does not interface with the inkjet cartridge to a position where the cap interfaces with the inkjet cartridge sealingly covering the nozzles; wherein
6. the consumable cartridge, which includes the inkjet cartridge, the inkjet cartridge holding device, the cap, and the cap actuator, is removable from a printer as a self-contained unit.

The Examiner rejected Claim 25 citing the same rationale for the rejection of Claim 1. As with claim 1, the prior art references fail to teach a consumable cartridge, which includes the inkjet cartridge, the inkjet cartridge holding device, the cap, and the cap actuator, is removable from a printer as a self-contained unit.

For at least this reason, Claim 24 is patentable over the cited references as is Claim 25 due at least in part to its dependence from Claim 24.

#### **OBJECTIONS TO THE CLAIMS**

The Examiner objected to Claims 12, 13, and 19-21 as being allowable but dependent of upon a rejected base claim. Each of Claims 12, 13 and 19-21 depends from Claim 1. For at least the reasons stated above, claim 1 is patentable over the cited references. The Applicant's respectfully request that the objection be withdrawn.

**Conclusion**

In view of the foregoing remarks and amendments, Applicants respectfully submit that Claims 1-3, 5-10, 12-28, 30-34, and 36- 53 define allowable subject matter. The Examiner is requested to indicate the allowability of all claims in the application and to pass the application to issue.

Respectfully submitted,  
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